IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO. 757 OF 2004
IN
SUMMARY SUIT NO.3286 OF 2003

Sai Ram Partnership ..Plaintiffs

Vs.

Lotus Enterprises and Ors. ..Defendants

Mr.B.s.Chandnani for the plaintiffs

Mr.S.A.Bhalwal a/w Mr.C.D.Patel a/w Ms.Usha Singh i/b Vyas and Bhalwal for the defendants

CORAM : S.U.KAMDAR, J
DATED : 7TH OCTOBER, 2005

P.C.:

. The learned counsel for the defendants states that they will make payment to the plaintiffs of sum of Rs.61,050/- with further interest @ 12% from the date of the suit on the principal amount of Rs.32,500/- in 12 equal monthly instalments commencing from 1.11.2005 and 1st of each succeeding month. In view thereof, there shall be decree in favour of the plaintiffs and against the defendants for a sum of Rs.61,050/-. If the amount is paid, decree to be marked 'satisfied' and in the event of any two defaults

plaintiffs will be entitled to execute decree as aforesaid. Suit is disposed of accordingly. In view thereof, Summons for Judgment does not survive. The same is also dismissed as infructuous. Refund of Court Fee as per rules. No order as to costs.